IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.21542 of 2005

Dated: 9th June, 2006

Between:

Janapareddy Jagga Rao

.. Petitioner

and

The State of A.P., rep. by the
District Collector, Visakhapatnam & others.

.. Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.21542 of 2005

ORDER:

This writ petition is filed seeking a direction to the respondents to repair and maintain Kasi Madumu Kaluva (irrigation supply channels o f Sarada River) through Government lands in Sy.No.64 abutting private lands in Sy.Nos.14, 56, 57, 61, 63, 62, 60, 65 and through Sy.Nos.21, 53 abutting private lands Sy.Nos.24, 18, 19, 23, 22, 51, 52,

78, 77 and avoid submersion of lands belonging to the writ petitioner to an extent of Ac.
13-84 in Sy.Nos.54, 55, 76, 71, 75 an 58 situated in Kajipalem Revenue Village, Atchutapuram mandal, Visakhapatnam district. It seems the only complaint of the petitioner is that the respondents are not properly conducting repairs and maintenance to the Kasi Madumu Kaluva (irrigation supply channels of Sarada River).

The third respondent filed a counter affidavit stating that the Irrigation Department as well as the elected body of ryots i.e. Water Users Association are looking after the maintenance of channel system. The wet crops of petitioner are not flooded for normal rains. During this year many of the lands are flooded due to heavy rains. The allegation of the petitioner that due to poor maintenance of the main supply channels, the petitioners lands were flooded is baseless. The minor encroachments are noticed on the banks of the channels, but there is no obstruction for free flow of water through these channels and action is also being taken for minor encroachments. There is no lapse on the part of the Irrigation Department and Water Users Association is taking up the repairs and

maintenance of the main supply channel of Kasimadum channel. After the end of the Kharif period, the channel will be inspected and necessary action will be taken to repair and desilt the channels as per necessity.

In view of the above, there is no necessity for this Court to issue any directions in this regard. However, the respondents are directed to ensure proper repairs and maintenance to the channel every year.

With the above direction, the writ petition is disposed of. No

order as to costs.

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C.V.RAMULU,
J

Date: 9.6.2006

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THE HON'BLE SRI JUSTICE C.V.RAMULU

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9.6.2006